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United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	CASE NO. 1:21-CR-00246-DAD-BAM
Plaintiff,	STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; AND ORDER
v.	
RAYLON THIJAY RANDLE,	DATE: October 12, 2022
Defendant.	TIME: 1:00 p.m.
	COURT: Hon. Magistrate Judge Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1.   By previous order, this matter was scheduled for a status conference on October 12, 2022.

2.   By this stipulation, the parties move to continue the status conference until December 14, 2022, or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act between October 12, 2022, and December 14, 2022.

3.   The parties agree and stipulate, and request that the Court find the following:

a)   Initial discovery was provided to defendant on or about October 18, 2021, consisting of 114 Bates-stamped items including reports of investigation, body worn camera recordings, photographs, certified conviction records and a summary of defendant's criminal

1   history.

2   b)   The government transmitted a plea offer to counsel for defendant on February 15,

3   2022.

4   c)   Counsel for defendant desires additional time to review discovery, consult with

5   her client, conduct investigation and research related to the charges, and to otherwise prepare for

6   trial.

7   d)   Counsel for defendant believes that failure to grant the above-requested

8   continuance would deny her the reasonable time necessary for effective preparation, taking into

9   account the exercise of due diligence.

10   e)   Based on the above-stated findings, the ends of justice served by continuing the

11 case as requested outweigh the interest of the public and the defendant in a trial within the

12 original date prescribed by the Speedy Trial Act.

13   f)   For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,

14 et seq., within which trial must commence, the time period of October 12, 2022 to December 14,

15 2022, inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv), because it

16 results from a continuance granted by the Court request on the basis of the Court's finding that

17 the ends of justice served by taking such action outweigh the best interest of the public and the

18 defendant in a speedy trial.

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4.   Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: October 5, 2022   PHILLIP A. TALBERT
                                            United States Attorney

                                            /s/ LAURA JEAN BERGER
                                            LAURA JEAN BERGER
                                            Assistant United States Attorney

Dated: October 5, 2022   /s/ CHRISTINA CORCORAN
                                            CHRISTINA CORCORAN
                                            Counsel for Defendant
                                            RAYLON THIJAY RANDLE

ORDER

IT IS SO ORDERED that the status conference is continued from October 12, 2022, to **December 14, 2022, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **October 5, 2022**   /s/ Barbara A. McAuliffe
                                        UNITED STATES MAGISTRATE JUDGE

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